

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

**PROPOSED AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
NOVEMBER 30, 2004
9:00 A.M.**

ROLL CALL

Invocation – Pastor Dr. Louis Pointer
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

1. ***CHRISTMAS TREE IN LIGHTS DAY***
2. ***ASSOCIATION OF THE UNITED STATES ARMY WEEK***

RECOGNITION

Recognition of appreciation to C & C Road Construction, Inc. for their outstanding work performance with respect to various projects in the City.
[Representative Presi Ortega, Jr., (915) 541-4189 and Representative Jose Alexandro Lozano, (915) 541-4515]

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members or persons in the audience. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

1. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meetings of November 2, and November 23, 2004.

2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

3. RESOLUTIONS:

3A. That the Mayor be authorized to sign, on behalf of the City, a Contract of Sale between the CITY OF EL PASO and JESSIE GUTIERREZ for the purchase of Lots 28 and 29, Block 7, Stiles Gardens, El Paso, El Paso County, Texas, also known as 7255 Stiles Drive, to be used as additional right-of-way related to the Hawkins Extension project. **(District 3)**
[Building and Planning Services, Patricia D. Adauto, (915) 541-4853]

3B. That the Mayor be authorized to sign the Quality Management Plan to establish program consistency in the application of Quality Assurance (QA) practices for all Site Assessment activities conducted during the City's Brownfields Redevelopment Project as required by the EPA. **(All Districts)**
[Economic Development, David G. Dobson, (915) 541-4680]

3C. That the El Paso Museum of Art be authorized to serve wine at One Arts Festival Plaza at the *Members Choice* reception on December 2, 2004, from 5:30 p.m. to 7:30 p.m. [El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

3D. That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises. [El Paso Museum of Art, Chris Grijalva-Garcia, (915) 532-1707]

Event:	Holiday Party
Licensee:	Young President's Organization
Date:	December 1, 2004
Time:	7:00 p.m. - 10:00 p.m.
Area(s):	Patricia and Jonathan Rogers Grand Lobby
Charge for Space:	\$500.00
Charge for Staff (est.):	\$280.00
Charge for Insurance:	\$52.80

3E. That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for maintenance services for Special Areas of the City's Parks from December 15, 2004, until December 31, 2004.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

3F. That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for restroom maintenance services from December 15, 2004, until December 31, 2004.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

3G. That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for parksites maintenance services from December 15, 2004, until December 31, 2004.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]

- 3H.** That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for parksites maintenance services (additional day/weekends) from December 15, 2004, until December 31, 2004.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 3I.** That the Mayor be authorized to sign an Amendment to the May 1, 2001, State Use Contract between the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for extension of the termination date of the Contract for maintenance services for the El Corredor Area of Downtown El Paso from December 15, 2004, until December 31, 2004.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 3J.** That the Mayor be authorized to sign a City Parksites Maintenance Contract among the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for parksites maintenance services for the City's Parks and Recreations Department.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 3K.** That the Mayor be authorized to sign a City Parks Restrooms Maintenance Contract among the City of El Paso and Texas Industries for the Blind and Handicapped (TIBH), and Border TM Industries, Inc., to provide for maintenance services at restrooms for the City's Parks and Recreations Department.
[Parks & Recreation, Norman Merrifield, (915) 541-4331]
- 3L.** That the Mayor be authorized to sign a month-to-month Lease Agreement, dated November 30, 2004, between **AVIS RENT A CAR SYSTEMS** and the **CITY OF EL PASO**. The term of the lease is from November 1, 2004 through April 30, 2005. The Lease Agreement provides for the lease of approximately 5,010 square feet of property more particularly described therein.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]
- 3M.** That the Mayor be authorized to sign an Agreement for Architectural Services by and between the **CITY OF EL PASO** and **GUILLERMO BARAJAS, INC., d/b/a ENVIRO IDEA**, for a project known as "**Westside Sports Complex**", in an amount not to exceed FOUR HUNDRED THIRTY-SEVEN THOUSAND SEVEN HUNDRED SIX AND NO/100 DOLLARS (\$437,706.00). (**District 1**)
[Perspectiva + 3D/I (P+3), Juan Contreras, (915) 225-3449]
- 4.** Request that the City of El Paso accept the tested and approved fire hydrants listed below, to provide adequate fire protection to existing and new areas:
[Fire Department, Chief Roberto Rivera, (915) 771-1000]

Hyd. # Location

- | | | |
|----|------|--|
| A. | 7469 | Laguna Vista Dr. & Via De Los Arboles Dr., North-East corner |
| B. | 8020 | Calle Parque Dr. & Calle Azul Wy., South-East corner |
| C. | 8021 | Calle Placido Dr. & Calle Parque Dr., North-East corner |
| D. | 8022 | Calle Vista Dr. & Calle Placido Dr., South-East corner |

E.	8023	Calle Placido Dr., 559' \pm West of Calle Vista Dr.
F.	8024	Calle Placido Dr., 402' \pm North of Calle Milagro Dr.
G.	8025	1077 Calle Milagro Dr., North of Calle Vista Dr.
H.	8026	Calle Flor Pl. & Calle Vista Dr., South-East corner
I.	8045	Carolina Dr., 450' \pm East of Giles Rd.
J.	8138	Rio West Ln. & Artcraft Ord Gary Hy., North-West corner
K.	8174	Alameda Av., 400' \pm West of Easter Ln.
L.	8269	Alexander Pl., 530' \pm North Loop Rd.
M.	8270	Flora Alba Dr., 528' \pm East of Sun Fire Bl.
N.	8271	Flora Alba Dr., 210' \pm South of Alicia Arzola Dr.
O.	8272	Alicia Arzola Dr., 399' \pm West of Floral Alba Dr
P.	8273	Alicia Arzola Dr. & Kari Anne Dr., South-West corner
Q.	8274	Kari Anne Dr. & Paul Lucy Ln., North-East corner
R.	8294	Lafayette Dr., 270' \pm South-West of Yarbrough Dr.
S.	8341	Corral Sands Dr., 285' \pm West of Ballinger Dr.
T.	8342	Black Sands Ln., 100' \pm South of U.S. 54 (Patriot Freeway)
U.	8346	Belvidere St. & Cactus Spine Ln., South-East corner
V.	8348	Desert Eagle Dr., 550' \pm North-West of Belvidere St.
W.	8353	Bella Vista Dr., 350' \pm East of Alta Loma Dr.
X.	8354	Tierra Bella Dr. & Tierra Este Av., North-West corner
Y.	8360	809 McKelligon Av., 70' \pm East of alley
Z.	8361	Alethea Park Rd. & Moore St., South-West corner
AA.	8362	Ballinger Dr. & Reef Sands Dr., North-West corner
BA.	8363	Reef Sands Dr., 168' \pm South of Silver Sands Dr.
CA.	8364	Silver Sands Dr., 570' \pm North-East of Golden Sands Dr.
DA.	8365	Ceder Sands Dr. & Desert Sands Ct., North-West corner
EA.	8370	Tierra Humeda Dr., 400' \pm North-East of Tierra Baja Dr.
FA.	8371	Tierra Serena Dr., 515' \pm South-West of Tierra Del Este Av.
GA.	8372	Tierra Sol Rd., 50' \pm West of Tierra Este Av.
HA.	8374	Tieera Sol Rd. & Pebble Hills Bl., North-East corner
IA.	8375	Tierra Madre Dr., 246' \pm South-West of Tierra Bella Dr.
JA.	8376	Tierra Dulce Dr., 210' \pm South-West of Tierra Bella Dr.
KA.	8377	Tierra Bella Dr. & Tierra Fria Dr., North-West corner
LA.	8378	Hunter Hill Wy. & Pebble Hills Bl., North-West corner
MA.	8379	Tierra Humeda Dr., 200' \pm South of Tierra Baja Dr.
NA.	8387	Salem Dr., 190' \pm East of Sigma St.
OA.	8390	Kenworthy Dr., 940' \pm South of Transmountain Rd.
PA.	8391	Portland St., 126' \pm East of Kentucky St.
QA.	8392	North Loop Dr. & Center Wy., South-West corner
RA.	8393	North Loop Dr., 206' \pm West of East Rd.
SA.	8394	North Loop Dr. & Alexander Pl., South of Intersection
TA.	8395	North Loop Dr. & Bates Wy., South-East corner

UA.	8397	Lucy Dr. & Kenworthy Dr., 342' \pm West on easement
VA.	8403	601 Sunland Park Dr., 20' \pm East of Isabella Dr. (easement)
WA.	8404	601 Sunland Park Dr., 285' \pm West of Isabella Dr. (easement)
XA.	8405	Redd Rd., 400' \pm East of North Desert Bl.
YA.	8411	Texas Red Dr., 489' \pm North-East of Kernel Cr.
ZA.	8412	Texas Red Dr. & Kernel Cr., North-East corner
AB.	8413	301 Borderland Rd., (Private St "B") 278' \pm North of Borderland Rd.
BB.	8414	301 Borderland Rd., (Private St "B") 524' \pm North of Borderland Rd.
CB.	8419	Scooter Ln. & Burgundy Dr., North-West corner
DB.	8420	Scooter Ln. & Bellagio Ln., North-West corner
EB.	8421	Zaragoza Rd., 353' \pm South of Charles E. Schulte Dr.
FB.	8422	Cora Pl., 485' \pm South-East of Mansfield Av.
GB.	8423	Scott Ln., 52' \pm West of Upper Valley Rd.
HB.	8424	Scott Ln., 85' \pm West of Leticia Ln.
IB.	8425	Al Smith Ln., 260' \pm West of Leticia Ln.
JB.	8426	Al Smith Ln., 425' \pm East of Leticia Ln.
KB.	8429	George Dieter Dr., 70' \pm North of Taffy Bagley Dr.
LB.	8444	Coloma Cr., 30' \pm North-East of Coloma Cr, North Intersection
MB.	8451	Cheryl Ladd Ct. & Dean Martin Dr., North-East corner
NB.	8460	Rio West Rd., 1153' \pm North-West of Rio West St.
OB.	8461	Rio West Rd., 650' \pm West of Rio West St.
PB.	8462	Rio West Rd., 50' \pm West of Rio West St.
QB.	8468	4564 Doniphan Dr., 500' \pm North-West of Bird Dr.
RB.	8470	Tom Lea Bl., 100' \pm South R.E. Thomason Loop
SB.	8482	Pheasant Rd., 580' \pm North-East of Sun Valley Dr.
TB.	8484	Calle Del Sol Dr. & Calle Placido Dr., North-West corner
UB.	8485	Calle Placido Dr. & Calle Lomas Dr., South-East corner
VB.	8537	Desert South Bl., 440' \pm South of Gate Ridge Cr.
WB.	8538	Kenworthy Dr., 97' \pm North of Winthrop Dr.
XB.	8539	Redd Rd., 360' \pm North-West of Thorn Dr.
YB.	8540	Bobolink Wy & Turnstone Dr., North-East corner
ZB.	8547	Coloma Cr., 144' \pm North-East of Henry Ln.

5. Request to fill positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

5A. Coach Operator Trainee (7)
[Sun Metro, Terry Lee Scott, (915) 534-5810]

5B. Clerk Typist III (1)
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

6. STAFFING TABLE CHANGES:**6A. OFFICE OF MANAGEMENT AND BUDGET**

Delete	1.00	Contract-Admin Support (NE)	C	
Add	1.00	Contract-Professional (E)		C
[Office of Management and Budget, David Almonte, (915) 541-4011]				

6B. SOLID WASTE MANAGEMENT

Add	1.00	Environmental Engineering Technician I	GS 24
[Solid Waste Management, Ellen A. Smyth, (915) 621-6719]			

7. BOARD APPOINTMENTS:

7A. Marilyn Jean Munden to the Greater El Paso Civic, Convention, and Tourism Advisory Board by Representative Susan Austin, District 1.
[Representative Susan Austin, (915) 541-4886]

7B. Kelly Duke to the Parks and Recreation Advisory Board by Representative Susan Austin, District 1. [Representative Susan Austin, (915) 541-4886]

7C. F. Randolph Young to the El Paso Mountain Committee by Representative John F. Cook, District 4. [Representative John F. Cook, (915) 541-4140]

7D. Jose Melendez to the Zoning Board of Adjustment by Representative Vivian Rojas, District 7. [Representative Vivian Rojas, (915) 541-4108]

8. Request that the following installment agreements for **AD VALOREM** taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City: [Tax Office, Juan Sandoval, (915) 541-4369]

8A. PID #H788-003-0180-0020, \$213.60 per month installments on a balance of \$2,563.20 for 2003 taxes; Roberto & Maria D. C. Yepen – 18002 Carson.
(District – County)

8B. PID #W500-000-0050-0030, \$466.67 per month installments on a balance of \$16,800.12 for 1995, 1996, 1997, 1998, 1999 & 2000 Taxes; Emilio & Sandra Montes – 10770 Wilton Pl. **(District - County)**

8C. PID #2003-000-0062-0022, \$8,114.36 per month installments on a balance of \$97,372.32 for 2003 taxes; The Shredder Co. LLC Property Tax Dept. – 7380 Doniphan. **(District 1)**

8D. PID #Q550-999-0130-0400, \$208.77 per month installments on a balance of \$2,505.24 for 2003 taxes; Sergio Jr., & Rose A. Villegas 1736 Rudy Quail.
(District 6)

- 8E.** PID #X173-000-0000-0360, \$1,375.93 per month installments on a balance of \$12,383.37 for 2001, 2002 & 2003 taxes; John R. Tamez - Raymond R. Tamez – 7771 Kiely. **(District - County)**
- 8F.** PID #1996-999-1899-0034, \$1,372.14 per month installments on a balance of \$8,232.84 for 2003 taxes; Preferred Medical Services – 11551 Chito Samaniego. **(District 7)**
- 8G.** PID #S155-000-0060-0900, \$173.18 per month installments on a balance of \$2,078.16 for 2002 & 2003 taxes; Bertha Zavala – 481 Santa Martina. **(District – County)**
- 8H.** PID #S562-002-0360-0200, \$232.71 per month installments on a balance of \$2,792.52 for 1999, 2000, 2001, 2002 & 2003 taxes; Laurencia L. Stark – None. **(District – County)**
- 9.** Request that the Director of Purchasing be authorized to exercise the City's option to extend the term of the agreement for one additional year, from December 28, 2006 to December 28, 2007 pursuant to the provisions of Contract 2004-018-C2 with Truck Enterprises, El Paso, Texas for Vehicle Body Repair & Painting.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]
- 10. BID:**
If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.
- | | | |
|----------------------|----------|--|
| Solicitation No.: | 2005-007 | Paint and Painting |
| Award to: | | KWAL Paint, Inc. |
| | | Denver, Colorado |
| Item (s): | | #1 thru #22 |
| Amount: | | \$30,000.00 (estimated annually) |
| Department: | | Facilities Maintenance |
| Funds available: | | 31010326-503200-01101 |
| Funding source: | | Building Maintenance General Operating Funds |
| Total award: | | \$90,000.00 (estimated) |
| District (s): | | All |
- The Building Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.
- Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.
- Vendor also offer the City a 2 % ten (10) days prompt payment discount.
- This is a Requirements Type Contract with an initial term of Thirty-Six (36) months.
[Purchasing Department, Jesus M. Juarez, (915) 541-4317]

11. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]**11A. BT2005-199 FIRE**

To set up appropriation for FY05 to purchase equipment for Fire Stations.

Increase	\$3,884.70	to	22153024/15464/407002	Est Rev
Increase	\$3,884.70	to	22153024/15464/503117	EqMntSup

11B. BT2005-200 PARKS AND RECREATION

This budget transfer recognizes the revenue received from the Memorial Tree Program and appropriates these funds to purchase trees and provide irrigation water for their maintenance.

Increase	\$1,875	to	51010262/50116/405060	Donations
Increase	\$1,000	to	51010262/50116/503113	Land Sup
Increase	\$ 875	to	51010262/50116/504101	Water

11C. BT2005-202 MUSEUM (HISTORY)

To appropriate funds for travel, visiting other Museums, Museum opening event planning, and other opening preparations.

Increase	\$5,000	to	54154002/G54001007406/407002	Est Rev
Increase	\$4,500	to	54154002/G54001007406/502215	OutsideCnts
Increase	\$ 500	to	54154002/G54001007406/504201	Travel

11D. BT2005-221 COMMUNITY AND HUMAN DEVELOPMENT

This budget transfer will reopen the Armijo Pool, a 25th Year (1999-2000) Community Development project in order to fund additional service as awarded to the architect by agreement.

Decrease	\$7,500	from	71150069/G7129CD000107747/508027	Construction
Increase	\$7,500	to	71150000/G7125CD112007575/508016	Architect Serv
Decrease	\$7,500	from	71150069/G7129CD000107747/406000	FedGrtProc
Increase	\$7,500	to	71150000/G7125CD112007575/406000	FedGrtProc

12. BUILDING PERMITS AND INSPECTIONS - REFUND:

Building Permit refund to Dawn Rodriguez in the amount of \$60.00.

[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]

13. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events.

- 13A.** Jose R. Sanchez to block off the 300 block of Kyle on December 11, 2004 from 4:00 p.m. to 9:00 p.m. and on December 12, 2004 from 8:00 a.m. to 9:00 p.m. for a block party (matachines). Approximately 100 persons will take part and 50 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." **(District 3) PERMIT#: 04-157**
[Jose R. Sanchez]

- 13B.** Domingo Correa Sr. to block off the 2400 block of San Diego on December 18, 2004 from 8:00 a.m. to 11:00 p.m. for a block party. Approximately 150 persons will take part and 150 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." This request includes permission to use amplification (one radio). **(District 2)**
PERMIT#: 04-159 [Domingo Correa Sr.]
- 13C.** Raul & Betty Figueroa to block off the 11000 block of Tom Weiskopf on December 4, 2004 from 1:00 p.m. to 6:00 p.m. for a block party (matachines). Approximately 50 persons will take part with 70 spectators anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." **(District 5)** PERMIT#: 04-160 [Betty Figueroa]
- 13D.** St. Pius X Church to hold a procession on December 2, 2004 from 6:01 p.m. to 7:00 p.m. Route: Starting at 1050 N. Clark and proceeding northeast to and turning right on Geronimo, heading south on Geronimo and turning right at Gila, heading west on Gila and turning right on N. Clark and ending at 1050 N. Clark. Approximately 60 persons and 1 vehicle will take part with no spectators anticipated. **(District 3)** PERMIT#: 04-161 [Norma A Lujan]

REGULAR AGENDA

- 14. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**
- 14A.** An Ordinance amending Ordinance Nos. 010873, 012221, 012476, 012636, 014826 and 15415, which established fees for the Foreign Trade Zone, to make various administrative changes to the Zone Schedule No. 1 Rates, Rules, Charges and Regulations for Foreign-Trade Zone No. 68; and to amend the Subzone Fees. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

- 14B.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), of the El Paso City Code, to adopt the 2003 edition of the International Building Code with changes appropriate for the City of El Paso with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 14C.** An Ordinance amending Title 9 (Health and Safety) Chapter 9.52 (Fire Prevention Code) by adopting the book entitled "International Fire Code, 2003 Edition," with penalties not to exceed Two Thousand Dollars (\$2,000.00) per day per violation as provided in Sections 9.52.109.3 (Violation Penalties) and 9.52.111.4 of the El Paso Municipal Code. [Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 14D.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.12 (Mechanical Code), of the El Paso City Code, to adopt the 2003 edition of the International Mechanical Code and with changes appropriate for the City of El Paso, with penalties not to exceed Two Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 14E.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.20 (Plumbing Code), of the El Paso City Code, to adopt the 2003 edition of the International Plumbing Code with changes appropriate for the City of El Paso and with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 14F.** An Ordinance amending Title 18 (Building and Construction), by creating Chapter 18.10 (Residential Code), of the El Paso City Code and adopting the 2003 edition of the International Residential Code with changes appropriate for the City of El Paso, with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 14G.** An Ordinance amending Title 18 (Building and Construction), Chapter 18.24 (Gas Code), of the El Paso City Code, to adopt the 2003 edition of the International Fuel Gas Code and with changes appropriate for the City of El Paso, with penalties not to exceed Two-Thousand Dollars (\$2,000.00) per day per violation as provided in Section 18.02.107 of the El Paso City Code.
[Building Permits and Inspections, R. Alan Shubert, (915) 541-4557]
- 14H.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.200 (Schedule XVII- - Restrictions On Parking In Residential Districts), Of The El Paso Municipal Code, To Add a New Location to Zone K: No Parking Anytime, Arnulfo Place, East Side, From Comanche Avenue to a Point 125 Feet South. The Penalty Being As Provided In Section 12.84.010 (Violation - - Penalty) Of The El Paso Municipal Code. **(District 8)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

14I. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets) To Add a New Location on The North Side of Ojo De Agua Drive from Westwind Drive to a Point 205 Feet East. The Penalty being as Provided in Section 12.84.010 Of The El Paso Municipal Code. **(District 1)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

14J. An Ordinance Amending the appropriate Sections of Title 18 (Building and Construction) of the El Paso Municipal Code to expand the scope of existing "third party inspections" involved in the plan review and inspection of construction of single family residences.
[Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123 and Representative Robert A. Cushing, Jr., (915) 541-4996]

PUBLIC HEARING WILL BE HELD ON DECEMBER 14, 2004 FOR ITEMS 14A – 14J

14K. An Ordinance granting Special Permit No. ZON04-00134 to allow for a parking reduction on the property described as Lots 9 and 10, Block 32, Franklin Heights (1318 Myrtle Avenue), El Paso, El Paso County, Texas pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Opportunity Center for the Homeless. Representative: Wright & Dalbin Architects Inc. **(District 8)**
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]

PUBLIC HEARING WILL BE HELD ON DECEMBER 21, 2004 FOR ITEM 14K

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

15. MAYOR AND COUNCIL:

15A. Discussion and Action on approval of a Memorandum of Understanding to be submitted to the United States Bankruptcy Court in the Chapter 7 case of Cumbre Development Corp., Case No. 02-32345, in support of Trustee's Motion to Sell Property Free and Clear of Liens Pursuant to 11 U.S.C. Sec. 363 to First National Bank. **(District 1)** [Representative Susan Austin, (915) 541-4886]

15B. Discussion and action on the proposed 2005 City of El Paso Legislative Priorities. [Mayor Joe Wardy, (915) 541-4145]

15C. Discussion and action on defining the City policy concerning the legal and proper disposal of "fats, oils, and grease" (FOG), and whether such policy should be handled by the public or private sector. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123 and Representative Robert A. Cushing, Jr., (915) 541-4996]

- 15D. Discussion and action concerning the proper designation of regulatory oversight for the supervision and enforcement of rules and regulations defining the proper and legal disposal of “fats, oils, and grease” (FOG). [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123 and Representative Robert A. Cushing, Jr., (915) 541-4996]
- 15E. Discussion and action on expanding the scope of “third party inspections” of construction of single-family residences and their accessory structures such as garages, carports, and fences, in light of the expanded need for housing to accommodate known increases in troop strength at Fort Bliss and anticipated demands in this area. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123 and Representative Robert A. Cushing, Jr., (915) 541-4996]
- 15F. Discussion and action to authorize the City Manager to enter into an agreement with Playground Connection to provide and build a barrier-free/developmentally advantageous playground at Vista Del Valle Park at no cost to the City.
(District 3) [Representative Jose Alexandro Lozano, (915) 541-4515]
- 15G. Discussion and action to direct the City Manager to create a committee to conduct research regarding the effectiveness of relevant workforce boards and entities for the purpose of gathering information relating to issues and problems experienced by displaced workers in El Paso to be presented to the Council.
[Representative Jose Alexandro Lozano, (915) 541-4515]
- 15H. Discussion and action on a Resolution that the City of El Paso hereby commits to joining the partnership effort and a \$250,000.00 financial commitment to fund the Paso del Norte's Master Plan. [Mayor Pro-Tem Anthony W. Cobos, (915) 541-4123]
- 16. **ENGINEERING:**
 - 16A. Discussion and action on approval of Conditional “B” building permits for: Mission Stone Subdivision. **(District 4)**
[Engineering Department, Bashar Abugalyon, (915) 541-4157]
 - 16B. Discussion and action on approval of Conditional “B” building permits for: North Hills Unit 21 Subdivision. **(District 4)**
[Engineering Department, Bashar Abugalyon, (915) 541-4157]
- 17. **PUBLIC HEARINGS – AIRPORT:**
 - 17A. An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.16 (Airport use regulations) of the El Paso Municipal Code by amending Section 14.16.135, Fuel flowage fees, to delete the exception for aircraft involved in a commercial activity for which payment of a landing fee is required. The penalty as provided in Chapter 1.08 of the El Paso Municipal Code. **(District 3)**
[Airport, Patrick T. Abeln, (915) 780-4724]
 - 17B. An Ordinance Amending Title 14 (Aircraft and Airports), Chapter 14.24 (Commercial Air Carriers Rates and Charges) of the El Paso Municipal Code by amending Appendix A to set forth new cost recovery rates for Fiscal Year 2005. The penalty as provided in Chapter 1.08 of the El Paso Municipal Code. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

18. PUBLIC HEARING – BOND COUNSEL:

An Ordinance providing for the issuance and sale of \$15,500,000 City of El Paso, Texas, Water and Sewer Revenue Refunding Bonds, Series 2004-A; approving a purchase contract; approving an official statement; and enacting provisions related thereto. [Bond Counsel, Delgado, Acosta, Braden & Jones, P.C., Paul A. Braden, (915) 544-9997]

19. PUBLIC HEARINGS – BUILDING PERMITS AND INSPECTIONS:

19A. Public hearing to determine if the property located at 1105 Loma Verde Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated July 19th, 2004. The owners of this property, Lawrence W. & Catherine J. Few, 1105 Loma Verde Drive, El Paso, Texas 79936, have been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 6)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

19B. Public hearing to determine if the property located at 7204½ North Loop Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. First investigated June 16th, 2004. The owner of this property, Jose M. Escobar, 7221 North Loop Drive, has been notified of the violations at this property. Delinquent taxes in the amount of \$0. **(District 3)**
[Building Permits & Inspections, Tom Maguire, (915) 541-4588]

19C. An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code, by revising Chapter 2.30 (Building Board of Appeals), to incorporate the responsibilities of the Electrical Board of Appeals (Codified currently as Chapter 2.34), to incorporate the responsibilities of the Plumbing/HVAC Board (Codified currently as Chapter 2.32), and to make significant changes to the board. [Building Permits & Inspections, R. Alan Shubert, (915) 541-4557]

19D. An Ordinance to repeal Title 5 (Business Taxes, Licenses and Regulations), Chapter 5.52 (Massage and Turkish Bath Establishments).
[Building Permits & Inspections, R. Alan Shubert, (915) 541-4557]

20. PUBLIC HEARINGS – ENGINEERING DEPARTMENT, TRAFFIC DIVISION:

20A. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso Municipal Code, To Temporarily Reduce the existing Speed Limit of 60 M.P.H. to 50 M.P.H. on IH-10 East, between McRae Boulevard to 1.56 Miles West of FM 659 (Zaragoza Road) for the Duration of the IH-10 Texas Department of Transportation Rehabilitation Project. The Penalty Being As Provided In Section 12.84.010 Of The El Paso Municipal Code. **(Districts 3, 6 and 7)**
[Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

- 20B.** An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Subsection (A) Of The El Paso Municipal Code, By Adding A New Location on Dodge Road, From Stiles Drive Southwesterly To Its Terminus, both Sides. The Penalty Being As Provided In Section 12.88.180 Of The El Paso Municipal Code. **(District 3)** [Engineering Department, Traffic Division, Ted Marquez, (915) 541-4035]

21. PUBLIC HEARINGS – PLANNING, RESEARCH AND DEVELOPMENT:

- 21A.** An Ordinance granting Special Permit No. ZON04-00113, to allow for a planned residential development on a Portion of Tract 1A, S.J. Larkin Survey #265, and all of Tracts 1B, 2C and 4M, S.J. Larkin Survey #265, El Paso, El Paso County, Texas (South of Bear Ridge Drive and East of Desert Canyon Road) Pursuant to Section 20.12.040 and 20.22.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Acro Developers II Limited Partnership. **(District 1)**
[Planning, Research and Development, Jorge Rousselin, (915) 541-4723]
- 21B.** An Ordinance changing the zoning of Tract 2B, Block 14, Ysleta Grant, El Paso, El Paso County, Texas (Lomaland Drive South of North Loop Drive) from R-4 (Residential) to A-2 (Apartment). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Oscar Andrade. ZON04-00114 **THIS IS AN APPEAL CASE. (District 7)**
[Planning, Research and Development, Fred Lopez, (915) 541-4925]
- 21C.** An Ordinance amending Title 15 (Public Services), by amending Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), of the El Paso Municipal Code to allow for banner programs in the Downtown Area or other areas; the penalty being as provided in Section 1.08 of the El Paso Municipal Code. [Planning, Research & Development, Fred R. Lopez, (915) 541-4925]
- 21D.** An Ordinance changing the zoning of Parcel 1: A portion of Tract 1A, Section 39, Block 80, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial) and imposing certain conditions; and Parcel 2: A portion of Tract 1A, Section 39, Block 80, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-3 (Residential) to C-2 (Commercial) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Abdolkarim Saadatkah. ZON04-00062 **(District 3)**
[Planning, Research & Development, Fred R. Lopez, (915) 541-4925]
- 21E.** An Ordinance changing the zoning of Parcel 1A: A portion of Tract 12, Section 34, Block 79, Township 2, Texas and Pacific Railroad company surveys, El Paso, El Paso County, Texas from R-5 (Residential) to C-1 (Commercial); Parcel 1B: A portion of Tract 1 and 12, Section 34, and a portion of Tract 1B, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-5 (Residential) to C-1 (Commercial); Parcel 2: A portion of Tract 1B, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-5

(Residential) to C-1 (Commercial); Parcel 3: A portion of Tract 12, Section 34, and a portion of Tract 1B, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from C-1 (Commercial) to R-5 (Residential); Parcel 4: A portion of Tract 1B, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from C-1 (Commercial) to R-5 (Residential); and Parcel 5: A portion of Tract 1 and 12, Section 34, and a portion of Tract 1B, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from R-5 (Residential) to A-2 (Apartment). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ranchos Real VI, Ltd. ZON04-00095 **(District 5)**
[Planning, Research & Development, Fred R. Lopez, (915) 541-4925]

- 21F.** An Ordinance changing the zoning of Parcel 1: A portion of Tract 7, S.A. & M.G. Railroad Survey No. 265, El Paso, El Paso County, Texas from R-4 (Residential) to C-4 (Commercial); Parcel 2: A portion of Tract 7, S.A. & M.G. Railroad Survey No. 265, and a portion of Tracts 97E and 97E1, S.A. & M.G. Railroad Survey No. 267, El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-3 (Commercial); and Parcel 3: A portion of Tracts 97E and 97E1, S.A. & M.G. Railroad Survey No. 267, El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial). The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Julio Joint Venture. ZON04-00105 **(District 1)** [Planning, Research & Development, Fred R. Lopez, (915) 541-4925]
- 21G.** An Ordinance granting Special Privilege to the Sun Bowl Association authorizing the encroachment of seventy-nine temporary street displays on city fixtures and utility poles on portions of Airway Boulevard between Gateway West Boulevard and Convair Road promoting the Vitalis Sun Bowl Game. *(Fee: \$3,160.00, SP-04026)* **(District 2)** [Planning Research and Development, Esther Guerrero, (915) 541-4720]
- 21H.** An Ordinance vacating a ten-foot (10') wide utility easement located within all of Lot 2, Municipal Center Subdivision, City of El Paso, El Paso County, Texas. **(District 7)** [Planning, Research & Development, Rudy Valdez, 541-4635]

22. PUBLIC HEARING – POLICE:

Public Hearing in accordance with Section 6.16.80 of the El Paso Municipal Code to determine whether Veronica Pena d/b/a United Independent Cab Company is fit, willing and able to provide taxi service in the City of El Paso and whether the Chief of Police should be authorized to issue an operating permit to United Independent Cab Company to operate (19) taxicabs pursuant to Title 6 of the Municipal Code.
[Police Department, Assistant Chief Paul Cross, (915) 564-7310]

- 23.** The City Council of the City of El Paso will retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

23A. Discussion and Action on Nancy Hollebeke v. City of El Paso, et al; Cause No. EP-04-CA-0185-HLH. (551.071) [City Attorney's Office, Jim Martinez, (915) 541-4550]

23B. Discussion and Action on Chris Jennings v. City of El Paso, et al; Cause No. EP-03-CA-0286-KC. (551.071) [City Attorney's Office, Jim Martinez, (915) 541-4550]

23C. Discussion and Action on Ricardo Ordonez v. City of El Paso, et al; Cause No. 2003-3289. (551.071) [City Attorney's Office, Jim Martinez, (915) 541-4550]

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print or audio tape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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